

SELECTMEN'S MEETING

OCTOBER 4, 1988

The Board of Selectmen held their regular meeting on Tuesday, October 4, 1988 in the Selectmen's Hearing Room in Town Hall. Present were William Weeks, Charles Kostro, Jr., Nancy Tavernier, Dore' Hunter, Don Gilberti and Don P. Johnson, Town Manager.

BIKEWAYS COMMITTEE

It was noted that Roland Bartl should be a member of this committee and that we should ask the Planning Council for a volunteer in this endeavor.

SENIOR CITIZEN CENTER

Stanton Collins made a short presentation and showed the Board the plans of the new senior center on High Street. He acknowledged Roy Smith's generosity to the Town and noted that they should be putting an article on the Annual Town Meeting Warrant for essential services. He noted the plan had been presented to the Planning Board on Thursday and approval, with conditions, would hopefully be forthcoming. He noted they hoped to have this done before the snow flies. Mrs. Hotch noted she still continues to utilize the senior center after having taught there for five years. She noted it was great for people who come to live with their families as it is a big adjustment for those families and this gives the elders somewhere to go and something to do and a place to make good friends. Carol Lake noted she was looking forward to this with great warmth in her heart. Stanton Collins read a letter from Fred Steinhauer. Bill Weeks noted that the Board was very happy to see this and promised the Board's cooperation and support in the continuance of this endeavor. Don Gilberti urged Stanton to get the article together and get together with Don and everyone involved and get this back on track.

SITE PLAN #4/6/88-297 - 928 MAIN STREET

Charlie Kadison noted that this was a proposed mini-warehouse at 928 Main Street. He noted it was a residence in the middle of a business district. There are seven parking spaces, one employee and no hazardous waste will be allowed in the warehouse. Any change in use would have to be brought back to the Selectmen. Charlie presented the plans with the revisions pencilled in in red - complete revised plans

will be sent to the Board. Bill Weeks went over the report of the Site Plan Administrator. It was noted that the hazardous materials storage question should be part of the conditions of the Site Plan and not a deed restriction on the property. NANCY TAVERNIER - Moved to take under advisement. CHUCK KOSTRO - Second. UNANIMOUS VOTE.

REPORT OF MEETING RE: STOW STREET BRIDGE AND W. ACTON LIGHT

Don Gilberti gave a brief summary. He noted that if the W. Acton Light were to be put in a warning sign would have to be put at the top of the hill, in Acton, coming from Boxborough on 111. There would have to be a railroad preemption system. The State DPW felt this might be the largest problem. If we do these things, the light could be working by next summer with a temporary permit. We cannot be reimbursed for the equipment, however, the State will remove it and stack it for us at the DPW building and we can use it again. According to John Loring the money is there when the long-range solution is put in place. Nancy asked if the Stow Street Bridge would be done before Winter. It was noted this probably was not the case. Don Gilberti noted he felt they had had a good meeting.

ADDITION CONSENT ITEM

There were no questions on the additional Consent Items or the regular Consent Items.

ACHC SPECIAL TOWN EMPLOYEES

The Town Manager noted that he had spoken with Town Counsel and he had suggested that the ACHC be made Special Town Employees for purposes of the Conflict of Interest Law. NANCY TAVERNIER - Moved to approve. DORE HUNTER - Second. 3 TO 2 VOTE (Don Gilberti and Chuck Kostro abstaining).

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SITE PLAN #6/30/88-302 - RENAISSANCE CONSTRUCTION

Joseph Gardner and Bruce Stamski were the presenters. It was noted at the previous hearing a number of issues had been discussed. In response to Engineering's request, the plans have been redrawn. Dore' felt the drainage portion had been satisfied and the other changes have been incorporated into the plans. Dore' noted the other question was sidewalks on both sides of the street to facilitate the bike trail. Don Gilberti noted Rex had a condition regarding the bike

trail and he asked that this be a condition of approval. DORE' HUNTER - Moved to take under advisement. CHUCK KOSTRO - Second. UNANIMOUS VOTE.

LIQUOR LICENSE TRANSFER - VAILLANCOURT TO HOUDE

Notices were sent to abutters and certified mail receipts were presented by the petitioner to the Board. Bill Weeks questioned Mr. Houde's qualifications. It was noted he was experienced in this field. Don questioned the renovations and permits. It was noted all permits were in place. Dore' questioned the types of beer and wine which would be sold. Mr. Houde noted both domestic and imported. Chuck noted we had asked that singles not be sold. Mr. Gianetti noted if that was a condition of all licenses in Acton he would have no problem with it, but he noted they did not want to be singled out. Don Gilberti noted this issue was a major concern to the Board - selling single cans of beer. Dore noted the gentleman had a good point. Bill noted he felt people should be allowed to buy one beer if they so desire. Chuck noted that the other package stores were not in residential areas. Dore' noted he was not convinced that this situation was unique. A gentleman from 31 Main Street spoke in opposition to this license. It was noted that the beer and wine would be in the back of the store and would be roped off on Sundays and during hours when it was not legal to sell beer and wine. NANCY TAVERNIER - Moved to approve. CHUCK KOSTRO - Second. 4 TO 1 VOTE (Don Gilberti, No)

C & C REALTY FREE STANDING SIGN

NANCY TAVERNIER - Moved to approve. There was no second to Nancy's motion. It was noted that since no one had showed up for the hearing and since the Board was not convinced this sign would enhance the safety of the motoring public that it be denied. DON GILBERTI - Moved to deny. CHUCK KOSTRO - Second. 4 TO 1 (Nancy Tavernier, No).

MORAN - CEASE AND DESIST ORDER

The Town Manager noted that all conditions have been addressed except one, the issue of closing off a portion of the driveway. He noted counsel has recommended the petitioner come before the Board and speak to you. The Board was not inclined to do this. Don Gilberti noted concern that the Class I licenses were not in compliance. Bill noted the Board would take this into consideration when the licenses

are re-issued. DORE' HUNTER - Moved to have the petitioner in. NANCY TAVERNIER - Second. 2 TO 3 (Chuck, Don and Bill, No)

YOUTH COMMISSION

Chuck asked that the Youth Commission be brought in for an Oversight Meeting to answer one question.

CLASSIFICATION OF PROPERTY HEARING

Bill Weeks noted that the State had not certified the town's numbers and that the Board would vote next Tuesday formally, but they would vote tonight to let the businessmen know where the Board stood. Lela Sorensen, Assistant Assessor, made a presentation on Classification. A copy is attached to the original minutes of this meeting. The following people spoke in opposition to the classification of property in Acton. Charlie Kadison, Ernest Nelson, Brewster Conant, Bruce Stamski, Ted York, Pat Sawtelle, Nate Palmer, William Lawrence, Belle Choate, Edie Hill, Ray Bintliff, Wilson Bursaw, Roy Smith, Joe D'Ambrosio, Richard Napoli, David Bolton, Daniel Wagner, Bill Kingman. The following spoke in favor of classification. Jack Ormsbee, Greg Niemyski, Charlotte Sagoff. The Board, after listening to the concerns of the business community commented and voted as follows:

BILL WEEKS - Noted that he felt businesses came to people, not people to businesses. He noted the mixed use of 101 properties and stated that these people can deduct that on their income taxes - corporation taxes are higher. He noted things like this are a political decision and the Board has had no cooperation from the business community. Bill noted he would be voting against classification because he did not feel that anyone had given him any reason to vote FOR classification.

DORE' HUNTER - Noted he was going to vote against classification since he had not heard anything that changed his mind. He felt that this was not going to change the character of the town - that he had the Town Manager do some figures on the number of cars in town - in 1975 there were .8 cars per person - 1988 there are 1.1 and therefore he felt we were creating most of the traffic ourselves. He noted the cost in services was greater for

residential than commercial and that he would vote against classification again this year.

CHUCK KOSTRO - Noted how difficult it was to live in this town as a resident. He noted he could not afford to live in an apartment or purchase a home. He noted he planned to vote for a 10% shift. He questioned where the businesses would go - Stow? Maynard? Hudson? They already have classification. He noted the business community in this town is good and they do donate goods and services to many community and school organizations. He noted this probably was political and he felt it was the right thing to do. He stated again that he would vote for classification with a 10% shift.

DON GILBERTI - Noted he had not made up his mind even through this afternoon. He felt leaving it the way it is is probably the fairest way to have taxes set in the Town of Acton. He noted he felt the business community benefited from the schools however. He noted he was going to vote against classification.

NANCY TAVERNIER - Noted she was going to vote for classification. She felt it was based on the ability to pay and the impact of businesses is assessed to all the people in town. She felt that the 20,000 cars that travel 2A is not just Acton residents and asked how that impact could be measured. She stated we have to incur the costs of road repairs, etc. She noted the main thing was the quality of life. She stated people do not have a very high opinion of the Town of Acton. Bedford, Concord, Hudson, Lexington, all have separate tax rates - also Maynard and Sudbury - it is not a new concept - it is done all over here. She noted we had an opportunity tonight to make a courageous decision. She noted she would support Chuck and the 10% shift to tax classification.

CHUCK KOSTRO - I move we shift the tax burden at a 10% rate.

NANCY TAVERNIER - Second. 2 to 3 VOTE (Nancy & Chuck, Yes; Bill, Don & Dore, No. MOTION DEFEATED.

NORTH ACTON COMPREHENSIVE PERMIT

Steve Graham made a short presentation noting that this particular project was different since it would be single family residences on smaller lots with 32 units provided at affordable housing prices. The sizes will vary from 1200 to 1500 square feet with garage. There will be approximately 130 units. Drawings of the proposed structures were presented to the Board. Steve noted the Board's support would be helpful. Bill noted that the Board did support the concept but did not give specifics when doing so. Steve noted this would be fine. Greg Niemyski noted density was much too high and he questioned the wastewater treatment plant and the town water.

CONSENT AGENDA

The following items were approved by Consent:

1. Lindsey Trust Site Plan #5/24/88-300 - Site Plan Decision
2. Rex Lumber Company Site Plan #5/20/88-299 - Site Plan Decision
3. Minutes from 9/20/88 Meeting.

MEETING ADJOURNED

11:00 P.M.

Ann Simeone
Recording Secretary

Nancy E. Zaverucha
Clerk

11/28/88
Date